

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

MELISSA SCHAFER a/k/a MELISSA )  
BAGLEY, by PAUL L. NALLY, next )  
friend, )  
Petitioner, ) No.: 1:18-CV-173-CLC-SKL  
v. )  
CHUCK SMITH, JAMES WOODRUFF, )  
and JIM HAMMOND, )  
Respondents. )

**MEMORANDUM**

Before the Court is a filing by a non-attorney next friend on behalf of a prisoner which purports to be a petition for writ of habeas corpus challenging the constitutionality of Petitioner's confinement in Meriwether County Jail in the State of Georgia and/or the acts and omissions that caused this confinement.

Under 28 U.S.C. § 2241(d), a petitioner may file a habeas corpus application in the district where her judgment was entered or in the district where she is incarcerated. According to the petition, Petitioner is presently confined in the Meriwether County Jail in the State of Georgia and has appeared in the Troup County Superior Court, which is also in Georgia (Doc. 1 p. 1–2). Thus, the proper venue for any such habeas corpus action challenging Petitioner's confinement is the Newnan Division of the United States District Court for the Northern District of Georgia.

*See* 28 U.S.C. §90(a)(4).<sup>1</sup>

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<sup>1</sup> While Petitioner asserts that this Court has jurisdiction over this action due to a substantial part of the events or omissions occurring in Hamilton County, Tennessee, *see* 28 U.S.C. §§ 1391, to the extent that she seeks habeas corpus relief, the governing statute is § 2241(d) which, as set forth above, establishes that the proper venue for Petitioner's habeas corpus action is the Newnan

Since the Court is authorized to transfer a case such this to another District “in the interest of justice,” 28 U.S.C. § 1406(a), in view of the foregoing, the Court will **ORDER** that this action is transferred to the United States District Court for Northern District of Georgia, at Newnan, and removed from the docket of this Court.

**An Order Will Enter.**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**

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Division of the United States District Court for the Northern District of Georgia. To the extent that Petitioner seeks to assert other claims, including claims for violation of her constitutional rights and/or negligence based upon events or omissions in Hamilton County that led to her confinement, she must do so in a separate action. The Court declines to characterize Petitioner’s pleading, however, and will allow the Northern Division of Georgia to do so.